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## BOARD OF SELECTMEN MEETING MINUTES 5/18/10

The Board of Selectmen met in the Town Hall, Joseph F. Bilotta Meeting Room as scheduled with Thomas Alonzo, Paula Bertram, Steven M. deBettencourt, Dave Matthews, Ernie Sund (new member) and Town Manager Kerry Speidel present. Meeting opened at 7:00 P.M. with the Pledge of Allegiance. Town Clerk Kathryn Herrick came before the board to swear in incumbent Steve deBettencourt and the boards' new member Carl (Ernie) Sund to the office of Board of Selectmen.

### **PUBLIC DISCUSSION**

Chair Alonzo congratulated both elected candidates and welcomed them to the board.

Ernie expressed appreciation to everyone in the town for voting for him and putting their trust in him for the next three years.

Steve also expressed appreciation to those who came out and voted and those who were involved in the campaign and the overall support for the past 19 years of service. Stated that he must be doing something right, as he still receives a 71% favorable rating.

Dave Matthews in addition to welcoming the new member to the board he would like to mention this past Friday night annual Pops Concert at the High School and acknowledged that the kids did a wonderful job. He expressed appreciation also to the parents and Ms. Katz who puts this all together. Chair concurred.

Mike Mackin of 26 Courtland Circle, congratulated the winners of the Selectmen's race and thanked the voters for coming out. Noted that his commitment of service to the town hasn't ended and, that he will continue to be active in the Town. Lunenburg is a very unique place and wish the best to the board in trying to meet the challenges going forward.

David Blatt of 438 Lancaster Ave., came before the board to inform them that the Annual Town Wide Yard Sale has been scheduled for this Sunday sponsored by the PTO. Presented a map for the board to review the setup, noted this is to take place at the old Primary School on School Street. There is still time for people to request a space and they can contact him at 978-582-0000.

### **ANNOUNCEMENTS**

1. *Yard Waste Days – Saturdays - April 24<sup>th</sup> – May 29<sup>th</sup>, 8:00 am – 4:00 pm, Closed Landfill, Youngs Road* - at the closed landfill, Youngs Road – Guidelines for disposal of yard waste for Lunenburg residents: The Lunenburg Landfill, off of Youngs Road will be open for consecutive Saturdays APRIL 24TH – MAY 29, 2010, 8:00 a.m. to 4:00 p.m., Acceptable material: grass clippings, bark mulch, wood chips, leaves, brush (with a diameter not to exceed 3 inches ... unlimited length). Shrubbery and plantings; with the same restrictions. Any container; bags, boxes, barrels, trashcans, tarps, flower pots, etc., must be removed and taken by the resident. No household garbage, trash, or rubbish of any kind will be accepted. No materials within the Landfill area; sand, stone, gravel, etc. are to be given away or sold. Access will be restricted to the disposal area. Commercial landscapers will not be allowed to dump. OPEN TO LUNENBURG RESIDENTS ONLY. TRAVEL PERMITTED ONLY ON TOWN EASEMENT. NO TRESPASSING ON TRI-TOWN LANDING CONSTRUCTION SITE.

2. *Memorial Day Services, Lunenburg Post No. 283, American Legion – Veteran's Park – 5/30/10 @ 11:45 AM-*

3. *Free Event: Stop Lyme Disease, Thursday, June 10<sup>th</sup> - 6:30 PM, Lunenburg Eagle House Senior Center* – Under our skin a film to learn how to protect yourself against lyme disease will be shown at 7:00 PM and general discussion will be from 6:30 to 7:00.

Chair acknowledged injured Police Officer, Omar Connor and wished a speedy recovery by the board and noted that this injury occurred in the Line of Duty.

### **APPOINTMENTS**

1. *7:30 PM – Public Hearing, Per MGL Chapter 140, §157, vicious dogs; nuisance dogs, Charles Truax, 288 Burrage Street*

Chair, Paula Bertram opened the Public Hearing on the 441 Townsend Harbor Road Dog Complaint: In accordance with M.G.L. Chapter 140, §157, a public hearing has been scheduled for May 18, 2010 @ 7:30 PM, in the Joseph F. Bilotta Conference Room, 2<sup>nd</sup> floor, Town Hall, 17 Main Street, Lunenburg. Hearing is to review and determine what action may be deemed necessary upon the investigation report of the Dog Officer. Said investigation was ordered by Town Manager, Kerry Speidel following numerous complaints of vicious or barking dog(s) owned or harbored by Charles Truax @ 288 Burrage Street, Lunenburg, MA. Reviewed the Dog Hearing Procedure as follows:

1. Announce ground rules
  - a. Official Hearing
  - b. Everyone testifying must be sworn in
  - c. Order of Proceedings
2. Swear in complainant (can also swear in anyone who will provide testimony)

3. Complainant presents his/ her testimony
4. Owner/ Keeper presents his/ her testimony
5. Witnesses testify
6. Board asks questions & deliberated
7. Board Makes a Finding
8. Board determines option

**Possible Findings:**

1. That the dog at issue constitutes a "nuisance" to the community, and the dog constitutes a nuisance because:
  - a. It has a vicious disposition; OR
  - b. It barks excessively; OR
  - c. It creates some other disturbance (needs to be explained).
2. That the dog, as a result of such barking or other disturbance, causes annoyance to a sick person within the jurisdiction of the responsible board or official.

**Range of Options if there is a Finding:**

1. Restraint
2. Banishment
3. Euthanization

If a finding is made, the owner/ keeper should be made aware that there is an appeals procedure set forth in MGL Chapter 140, Section 157.

Original complainants were in attendance; Heidi and Kurt Kashuba of 293 Burrage Street.

The complainants and residents who would testify were sworn in by Laura Williams, Notary Public to "solemnly swear or affirm that the testimony to be given in this matter will be the truth, the whole truth and nothing but the truth".

Heida Kashuba 293 Burrage Street stated that she has lived here for about 9 years; she has spoken to the residents, the son, the daughter and the mother (Truax's) about the dog issues and nothing has come to a head until now. She's extremely concerned now as her daughter is 6 years old and their dogs have been attacked multiple times by the Truax's dogs with her daughter right there. Noted that the Animal Control Officer has been assisting them and she (Kathy Comeau) informed Heidi that a restraint order went out, just want to know that there will be safety for our daughter. She has documented that since the restraint order went out; the dogs have been on her property numerous times and that their two dogs that have been attacked by the Truax's Besengi's. She fears for the safety of herself, her daughter and her dogs as these dogs are pack dogs and have attacked her dogs. Also noted that their dogs chase cars up and down the street and provided the attached information to the board regarding vet bills and photo's

Charles Truax of 18 Pierce Ave. informed the board that often times he stays with his mom @ the Burrage Street property. Stated that since he received the letter the female dog has been on a leash. The male has always been on a leash as he (male dog) wants to attack other dogs. There were three basenji's at the property and now he takes them to Devens to run as he used to run them from Burrage Street all the way to Pierce Ave. Chair questioned when you received the letter from the dog officer and Mr. Truax informed the board that it was about two months ago and since then the dog has been on a leash.

Kathy Comeau, Animal Control Officer informed the board that these dogs have been a problem for awhile and his elderly mom is not able to take care of the dogs. Kathy spoke with the sister and was informed that she wasn't going to bring her dog to the Burrage Street property. Letter was sent in December of 2009 and second complaint was received on April 5<sup>th</sup> and this is when she suggested the complaint come before the board as they have a problem with this dog. He's (Charles Truax) not listening to her and she feels that an order would have to come from the board. She has told him that the dogs are not going to be running chasing his truck back home from Shirley. Noted that she doesn't believe the sister's dog has been anywhere, except with her since she spoke with her about the problem in April.

Tom questioned complainant, Ms. Kashuba for background information and she informed the board that they currently have two dogs, a Lab about 80 lbs., lab hound mix about 72 lbs and previously had a small dog, an American Eskimo. There were initially three dogs, basenji's and believes one has passed, one has been restrained and the other one, which she believes is the sister's and more aggressive has not. She understands that the sister's dog is supposed to be the more aggressive and vicious and has not been at the house but once, but that the defendant's dogs still continue to be there. She has spoken with Heidi (sister) and she told her that she wasn't told by her mother or brother of the issue and wasn't aware of the problem until she spoke with Kathy. They have not have a problem with the sister's dog since she was told of the problem. When Charlie is at his other residence (Pierce Ave.), see his dog at the mother's property the majority of the time. One of their dogs was visually attacked, laceration and puncture wound on his neck, at that time all three of the dogs attacked. At that particular time all three of them attacked, they are pack dogs and they will attack.

Tom questioned how long has this been going on and per Heidi about 8 years ago, they let it go as they didn't have their daughter at the time. Have spoken with the dog owner, his mother and were trying not to cause problems. Over the last six years the problem has been getting worse. The first dog attack was in 2006 and back then she made phone calls, had conversations on the phone and was told that calls would be made and they let it go. In November of 2009, again in December and April, maybe January. Issue pretty much has stayed the same, but for only the last two weeks it seems to have gotten better, definitely not been better since last November.

Ernie for clarification, the issue has gone back 8 years and you say that your present dog is 5 or six years old. And Heidi informed the board they had two other dogs prior and that when one of her dogs passed they replaced with another dog.

The road is in the middle, their across the street and we have a low stone wall, so the dog can jump any length in the middle and be in our yard, or can go past the wall and right up the driveway.

Mr. Truax was questioned by Tom on where the dogs are licensed and per Charles, in Lunenburg. There is his sister's dog and then Tara is owned between him and his mom and Copper is the one that passed away and was the friendliest. Noted that the dogs have been on a leash and when he does run on the roads on Saturday or Sunday it was at 2:30 in the morning. He takes Tara to Devens now for a run. Tom questioned if Mr. Truax acknowledges that this has been a problem for 8 years or so. Mr. Truax stated that he has been trying to correct it, he's tried the wireless fence and that doesn't work, so since then they've been on a leash. Acknowledges that the female will go over to sniff and as long as he stays away the dog won't attack. He has offered to pay their vet bill. Tom referenced the dog officers report which states that with her (mother) being sick she doesn't want the dog the dog there. Per Charles, since his mom's dog has passed away she doesn't mind having his dog there, she puts the dog out on the porch and he will come over to do the running.

Dave questioned right now what do you propose to do to fix this situation and per Charles the dog doesn't get out any more. The dog has gotten out once, when he was on his motorcycle and when he's in his car the dog comes right into the car. Other than that the dog stays in the house all day, has been trying to train it. Dave noted that there are time stamped pictures from February, March, and April.

Paula noted that these pictures clearly show that they are not on a leash; noted that it only takes a split second for a dog to attack.

Dave noted that what it comes down to is dogs are unpredictable by nature; it doesn't take much and noted that we've had a prior issue in town where a known friendly dog has attacked a child.

Ernie questioned Mr. Truax as he stated you take them for a run and they go 10 – 20 miles and questioned if they are restrained. Per Charles he releases the dogs on Devens, he used to have them chase his truck from his mother's house on Burrage Street to Pierce Ave at 2:30 in the morning, but now he brings them to Devens. Ernie noted that he is still concerned @ 2:30 in the morning you stated that you let them run home. Per Charles this is what he used to do, but doesn't do this now. Ernie questioned if you've considered installing a cyclone fence and Charles stated the problem with that is that they would probably jump over the fence, they would figure out a way. He hadn't thought about this type of fence and was going to try a heavier electronic fence. He has previously used a wireless fence, but they've run right through it.

Paula noted that these pictures show the dogs loose and there needs to be a system to restrain these dogs to the property. Sister's dog doesn't reside at the Burrage Street property, his home address is Pierce Ave. but he has been staying with his mother on Burrage Street since his father passed away.

Tom noted that he has two basenjis and he had to install a wired version and since he's installed this type his dogs have never gone through the fence. The wireless ones have too much interference, the wired ones will cost more, but they worked.

Tom questioned Kathy and how long has she been aware that this has been going on and Kathy stated for years, the mother has always told her that she has the dogs there, but she's very frail and is not able to take care of the dogs. As far as she knows the dogs are no longer running loose in Lunenburg. Tom questioned the Animal Control Officer and noted that she has the ability to fine the dogs. Kathy informed the board that there is a bylaw but where the board is the governing body, thought it best that this came before the board as she was aware that Mr. Truax's mother told her directly that she couldn't take care of the dogs. The reason why we're here is because the person has not been doing what I've directed them to do. We need to have non-criminal violations printed in order to bring this court. Tom noted that this has been reported

Questioned whether Kathy has an email address as Ms. Kashuba had reported that she previously tried to email Kathy and this was returned back to her. Per Kathy to her knowledge she's never had an email address and uses her phone

Per Kerry we have non-criminal citations that we currently use for the marijuana fines that are being issued and can see if these would be appropriate to use for this type of situation.

Chair would like to have this confirmed; noted that we need to start fining the violators. Per Kathy the reason why she hasn't been issuing fines is that she used to spend hours in court and they never came up.

Mr. Eric Kashuba, noted that the Truax's are great people, but this has been going on for years. We've talked about getting chickens but they've had cats and they've been killed. He noted that Charles' mom is not strong enough to restrain the dogs and concerned about the dogs getting out when the door is opened. We want to move on, but this is where we're at. A cage or fence seems reasonable, and noted that his dogs are trained and never go beyond their property wall. Questioned if we're going to have to wait 30 days for a finding as he doesn't believe that leashes will work. Last attack on their dog was in April and it was so bad that it got infected twice. Noted that from 2006 – 2007 the Truax's house was empty as they went to Utah and now that they're back these dogs have been a problem, they're vicious and his dogs are getting chewed up as they're not use to fighting.

Tom questioned of the three options what would his preference be.

Per Eric, there is a concrete pad out there on their property and if they were to install a fence on this, it would be perfect. Noted that the other dog that is living at the sister's residence is a very vicious dog that goes for the kill and she hasn't been bringing this dog down to the mother's house. There is no control over the dogs, the only way to break the dogs up is basically getting in the middle of the fight and kicking them off. Restraint would be the best solution.

Paula questioned procedural process, have heard about two dogs and as she reads the law, the only dog that the board can take action on is Tara, not Grisse, the sister's dog. Kerry concurred as the dog that was referenced in the letter is licensed and owned by

Charles. Eric noted that the other dog is always on a leash since the sister was made aware of the issue, and that it's Charlie's dog that has been the problem.

Kathy believes that a pen would be great but would have to have a cover as these dogs can scale a six foot fence. She also knows that an electric fence doesn't work for every dog.

Tom questioned if the writing of the law states the type of restraint that we can order. Per Chair in reading MGL, Chapter 140 it states that they responsible authority may make such order concerning restraint as deemed necessary, which is left so broad.

Steve motioned that the dog does have a vicious disposition and that the board act on this, Dave seconded, voted unanimously Steve motion to require that the dog be restrained at all times, seconded by Tom. No recommendation as to how to be restrained at this time; just that it is to be restrained, voted.

Ernie would like to add that if the dog is not restrained then the dog would have to be penned in around the concrete and enclosed across the top. Steve is not at this time ready to amend, want him to restrain the dog to the property @ 288 Burrage Street, not telling him how the dogs are to be restrained at all times.

Tom the assurance that this board would have is that we revisit this 6 months from now and is willing to give the dog owner the ability to avail himself of whatever restraints that are on the market; but if there are violations, then it will come back before us and we will determine how it will be restrained.

Kerry, noted the bylaw and fines and the state law does include imprisonment and we can start issuing fines based upon the boards' ruling.

Paula if we're going to look at this in six months how do you want this addressed, a status review.

Paula motion is that the dogs will be restrained at all times and status will be reviewed in six months. In the event the Animal Control Officer receives a call, she is to contact us and the matter will be brought back before the board. Called for voted, voted unanimously and noted that an order will be issued.

## **CURRENT BUSINESS**

1. **Reorganization** – Steve nominated Paula Bertram as Chairman, seconded by Ernie Sund. Dave nominated Tom for Chair, not seconded. Board voted in the majority to approve Paula as Chair. Ernie nominated Steve deBettencourt as Vice Chair, Steve seconded, voted in the majority to approve. Steve nominated Ernie Sund as Clerk, Tom seconded voted unanimously to approve.

2. **Minutes** - Board of Selectmen Regular for 4/27/10, 5/11/10 and Executive Session for 5/11/10 reviewed and signed.

**Warrants** - #63 10, 5/18/10 - \$54,018.32 and # reviewed and signed.

**Action File Issues** – Steve questioned the line painting and whether there is information, noted that there are no crosswalks painted in the center. Kerry has spoken with the DPW Director and noted to him the intersection of Whalom & Electric Ave., we have funding for 50% for paving per year. Ernie questioned the painting on Leominster Shirley Road after the state was completed with the bridge repair and per Kerry that should have been done as part of the construction project and she will follow up with the State on this. Tom questioned the status on the complaint that was received on drainage on Flat Hill Road, by the Hicks development and questioned if the DPW has followed up on this and per Kerry, the DPW Director has and she will provide information.

Steve questioned the status of the flooding issue on New West Townsend Road and Kerry informed the board that we are still working with Fitchburg DPW to resolve this problem. Not sure if there is anything that we can do to satisfy that homeowner. Steve noted that he doesn't see Fitchburg coming into Lunenburg to fix so if we don't see any movement on it, it's going to continue flooding. The answer is it's our water. Per Kerry the answer is we need to address the source of the problem and we're not going to be able to fix. Per Paula there are stormwater regulations that have been enacted and are very strong and should work with the City of Fitchburg.

## 3. **Manager Updates** -

- Kerry has a packet for the board and will have it photocopied and delivered to the board members. Copy of existing IMA, the proposed IMA and a proposal from the firm that was hired by the Sewer Commission to assist in navigating through this process.
- Will also send out the Report from the State Regional Advisory Commission issued their final report. This Commission, chaired by Lt. Governor Tim Murray, was established under Chapter 60 of the Acts of 2009, to "review all aspects of regionalization including possible opportunities, benefits and challenges to regionalizing services within the Commonwealth. The commission shall consider the costs and effects of regionalizing all services including, but not limited to: education, public safety, public health, public works, housing, veterans' services, workforce development, municipal finance and structure, elder services and transportation." The report is very extensive, and the Commission has been hosting meetings across the State to present its findings. On Friday, May 21, 2010, at 10:00 a.m., the Commission will host a meeting at the Ayer Town Hall. If you have the opportunity, please consider attending this meeting. This group was charged with looking at all aspects of regionalizing and at this point in time it may be beneficial. This commission has identified impediments that they will be working with the legislature.
- Kerry informed the board of the DEP pending investigation, Laura had called regarding the reported soil contamination and was advised that as this is an open matter in an ongoing investigation with the DEP Central Regional Office, at this point in

time there is no information available. They will contact the town if anything is found as a result of their investigation. Kerry followed with an additional phone call today and was given the same information, we will continue to follow this matter.

- Attended a meeting with Rep Benson and the local Managers which are scheduled quarterly within her district to discuss issues of concern, noted the 12 ½ % remaining reimbursement from the December 2008 Ice Storm that the communities have not yet received. Initially the State said that they would pick up the 25% of the total and in 2009 the town received funding for 12½ %, approximately \$151,000. Still waiting on the balance of 12½ and have been told that this has not been funded at this point. The House has passed their version of the 2011 budget which includes the appropriation and has been sent over to the Senate. Rep Benson has been able to add the 12 ½ % to the Senate version and asked the board to review the attached letter to be sent to Senator Flanagan. Chair Bertram would like to forward, Steve questioned what the alternative would be, would they let us roll this in to another year. Per Kerry, the DOR has told us that we'll be digned on our Free Cash and she has informed the Senator and Rep that if this is not part of the budget and we're not going to receive funding that we'll have to address this at a special town meeting in the fall. Her stance is that we've been told for 12 to 18 months that we would be funded the money and have done our budgets based upon the reimbursement.
- The new water main that will connect the new well on Leominster Shirley Road to the existing water system will begin on Wednesday May 19, 2010 at the intersection of Page Street and Lancaster Ave. The water mains are being installed on Page Street up to Reservoir Road, the entire length of Reservoir Road, and a portion of Leominster Shirley Road. A second installation crew will begin working the first week of June in the area of 700 Reservoir Road and begin laying pipe towards Keating's. The roads will remain open during the construction with the exception of several hours when the water main is installed under the railroad bridge near Keating's. The construction is expected to take approximately 2 months. If anyone has questions or concerns regarding this project, please contact the Water District.

4. *Unitil Pilot Program Representative* - Kerry went over the request from the Municipal Utilities Task Force for a senior level representative to serve. Board decided to table and will be placed on the agenda for next week. Paula noted that there was discussion to establish something on the website and Kerry would like to handle this all at once.

## **OLD BUSINESS**

### *1. Committee Updates*

Dave noted that he has been the board's representative on the Capital Planning Committee and that he would happily pass on. Paula would like a list of the various committee's that the board acts as liaisons and would like this put on for next week.

## **COMMITTEE RESIGNATIONS / APPOINTMENTS / REAPPOINTMENTS**

### *1. Vacancies* - tabled to next week.

2. *Resignation* - Carl Ernie Sund submitted his formal resignation from the Lunenburg Board of Assessors, this afternoon. Kerry noted that this would be a joint appointment between the Board of Selectmen and Board of Assessor's as this is an elected position.

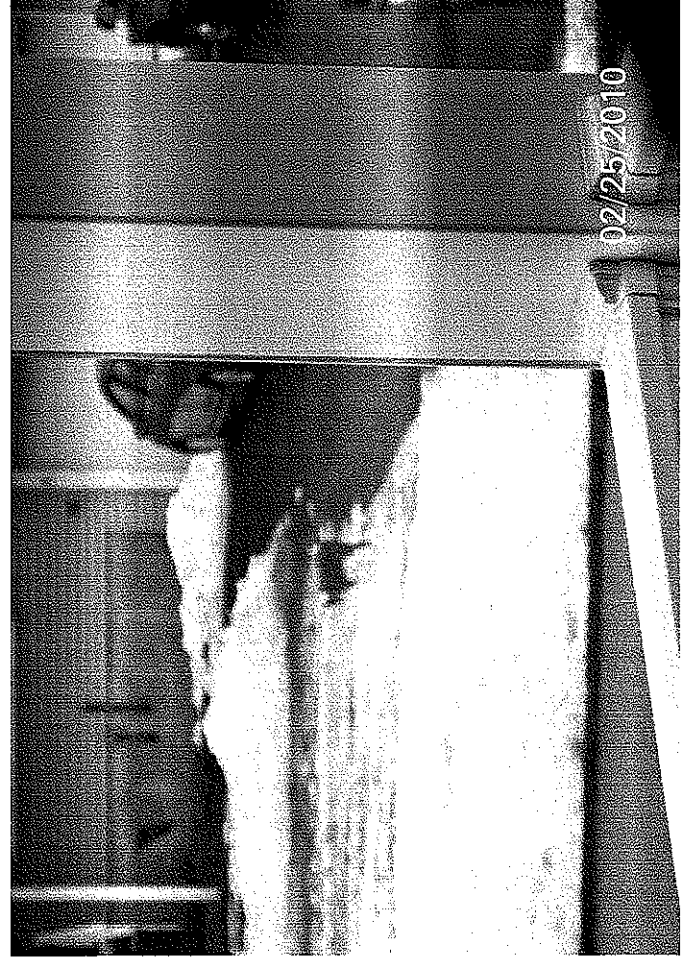
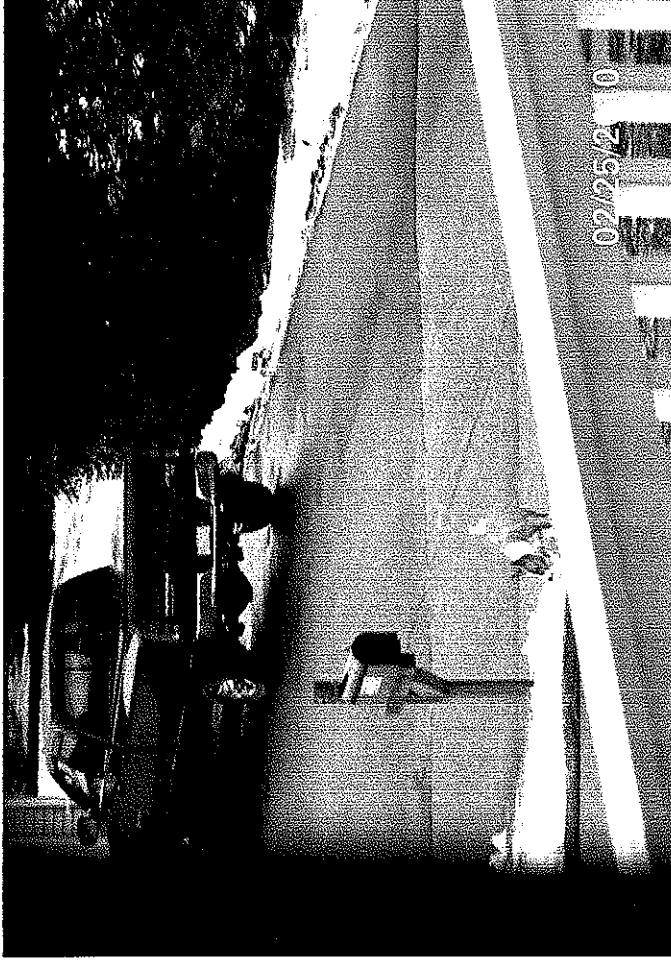
## **EXECUTIVE SESSION**

Being no further business board voted unanimously to adjourn Regular Session at 8:46 P.M.

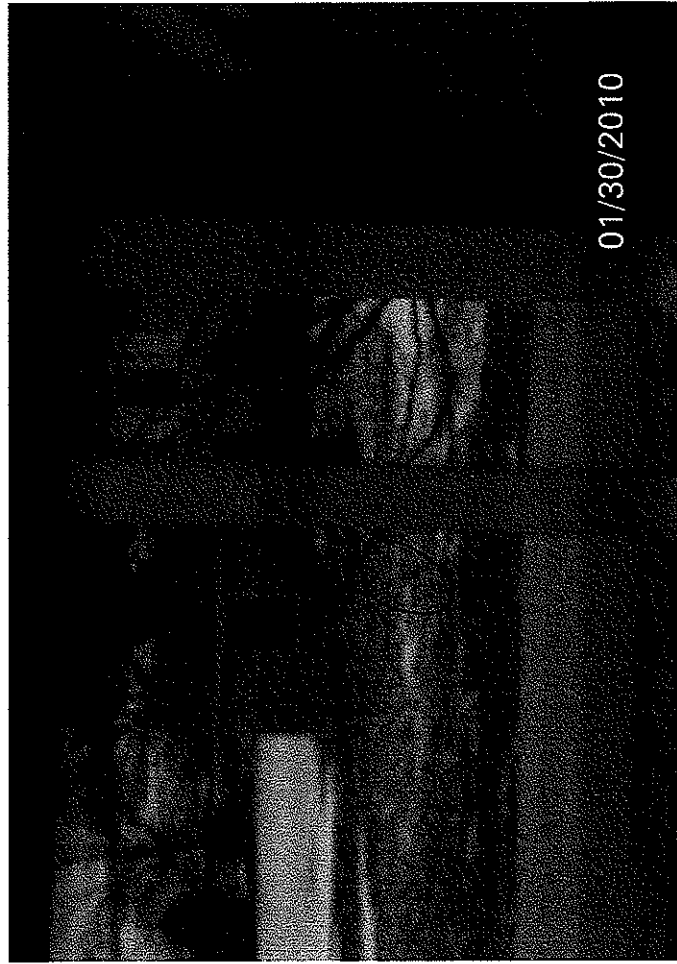
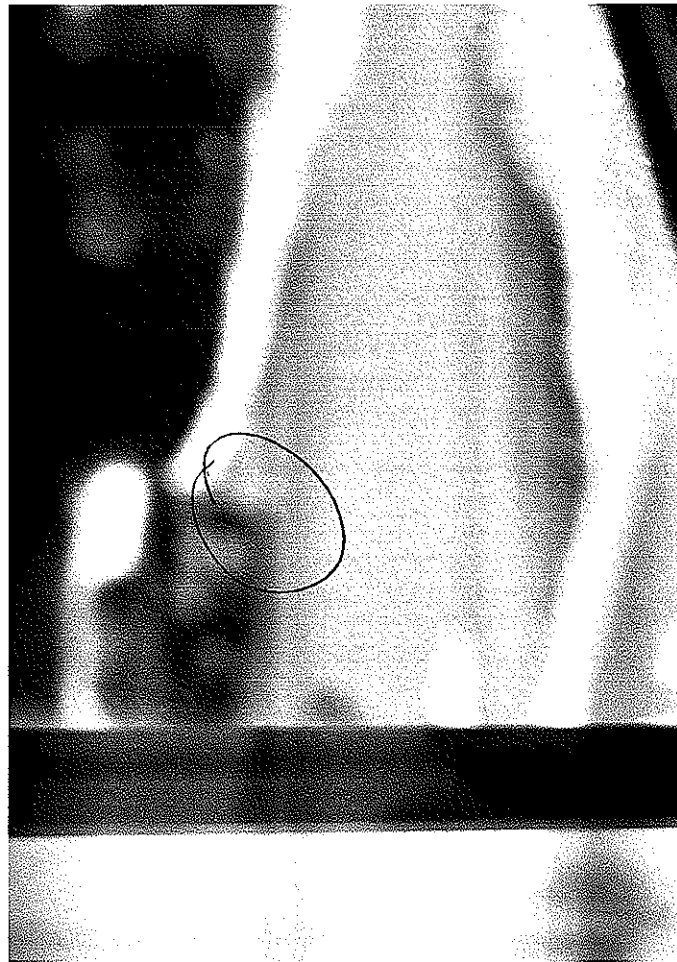
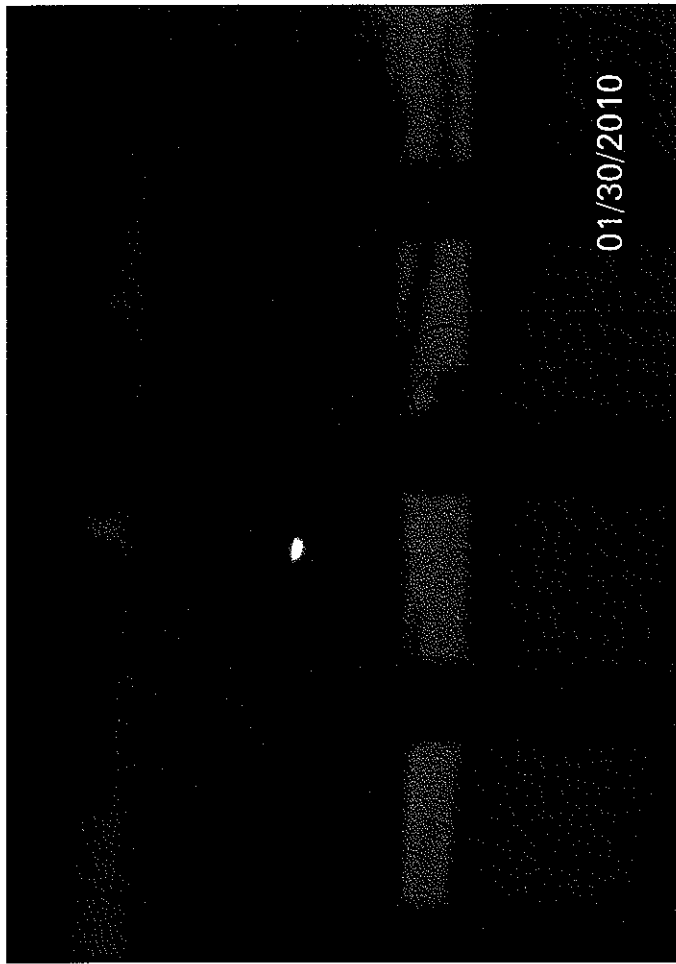
Next meeting will be held on Tuesday, May 25<sup>th</sup> @ 6:00 PM with the Sewer Commission, scheduled for Executive Session.

Respectfully submitted,

Laura Williams, Chief Administrative Assistant  
Board of Selectmen







2010

Dog Issues - Charles Truax

April 6 - Went to Town Hall & H A.C.

April 5 - Came in yard early evening -

My dogs were in front yard, his dog jumped well & came into our

yard, instigated my dogs then

attacked my 1 yr old lab, we tried

to get pic but dog became so

aggressive & I had to go out & chase

dog when I started yelling & clapping

hands at the dog - charlie came out of

garage & started calling it then

put it in house.

April 4 Easter

They had family over & dog

was let out or got out, was

in their own yard for couple minutes

; then I went into surrounding

neighbors (side & behind). Charlie had

to get into his car to get the dog

back.

March 17<sup>th</sup> - Dog come to our yard,  
my dog out & it jumped well  
& started to attack, I went out  
& chased away.

Feb 26 - wondering their yard

Feb 25 - wondering their yard, sad,

Chased cars, came up to

our wall

Jan 30 - Chasing Cars.

Hurt spoke w/ people w/ 4/19 who told

us he lets dog out 4-5am Because he

knows we are not up.

5-5 not on leash

5-7 not on leash



for  
978582-110-

**History of Transactions**  
**Heidi Kashuba, Account #7933**  
**From 10/1/2009 through 5/17/2010**  
**All Locations**

Date	Open	Hosp	Dr#	Animal	Code	Qty	Description	Amount
10/2/2009	No	1	1	SHELBY	5914		<b>Beginning Balance:</b>	\$0.00
						5	R#177553; Rx026829; R#177553; INTERCEPTOR Flavor Tabs for dogs 51-100#	\$41.30
10/2/2009	No	1	1	SHELBY	8812	1	FRONTLINE PLUS for dogs 45-88 LB	\$17.15
10/2/2009	No	1	1	*	97		Sales Tax	\$6.89
10/2/2009	No	1	1	SHELBY	100	1	Initial Exam	\$65.00
10/2/2009	No	1	1	SHELBY	656	1	Local Anesthesia	\$30.00
10/2/2009	No	1	1		6992	1	Wound closure (staples)	\$25.00
10/2/2009	No	1	1	SHELBY	4448	10	Rx026841: SIMPLICEF 200 MG TABLETS	\$35.00
10/2/2009	No	1	1	SHELBY	301	1	Expressed Anal Sacs	\$25.00
10/2/2009	No	1	1	SYDNEY	8813	1	FRONTLINE PLUS for dogs 23-44 LBS	\$16.76
10/2/2009	No	1	1	*	3		Credit Card Payment; #Visa	(\$262.10)
							<b>Daily Total:</b>	\$0.00
10/6/2009	No	1	1	SHELBY	123	1	Follow-up Exam	\$43.00
10/6/2009	No	1	1	*	3		Credit Card Payment; #Visa	(\$43.00)
10/6/2009	No	1	1		2		Check Payment; #5807019	(\$4.00)
							<b>Daily Total:</b>	(\$4.00)
10/16/2009	No	1	1	SHELBY	6991	1	Staple removal	\$0.00
							<b>Daily Total:</b>	\$0.00
11/5/2009	No	1	1	HALEY	405	1	R#179071; Fecal (ZnSO4 Centrifugation)	\$30.00
11/5/2009	No	1	1	*	3		Credit Card Payment	(\$26.00)
11/5/2009	No	1	1	HALEY	9652	4	Rx027093: METRONIDAZOLE TAB 250MG	\$16.00
11/5/2009	No	1	1	*	97		Sales Tax	\$1.00
11/5/2009	No	1	1		3		Credit Card Payment; #Debit	(\$17.00)
							<b>Daily Total:</b>	\$4.00
12/10/2009	No	1	1	SHELBY	301	1	Expressed Anal Sacs	\$25.00
12/10/2009	No	1	1	*	3		Credit Card Payment; #Debit	(\$25.00)
							<b>Daily Total:</b>	\$0.00
3/2/2010	No	1	1	SHELBY	8018	3	K9 Advantix Dog 56 to 100 lb Blue	\$51.21
3/2/2010	No	1		SYDNEY	8018	3	K9 Advantix Dog 56 to 100 lb Blue	\$51.21
3/2/2010	No	1			8018	1	K9 Advantix Dog 56 to 100 lb Blue	\$0.00
3/2/2010	No	1	1	*	97		Sales Tax	\$6.40
3/2/2010	No	1			3		Credit Card Payment; #Visa	(\$108.82)
							<b>Daily Total:</b>	\$0.00
3/25/2010	No	1	1	HALEY	8688	1	R#186293; BREAKAWAY PLUS FLEA & TICK COLLAR FOR CATS	\$12.30
3/25/2010	No	1	1	SYDNEY	9422	1	R#186295; Canine SNAP 4Dx test	\$54.00
3/25/2010	No	1	1	SYDNEY	106	1	R#186297; Annual Comprehensive Exam	\$43.00
3/25/2010	No	1	1	SYDNEY	5914	6	R#186299; Rx028352; R#186299; INTERCEPTOR Flavor Tabs for dogs 51-100#	\$49.56
3/25/2010	No	1		SHELBY	5914	6	R#186301; Rx028353; R#186301;	\$49.56

Printed on 5/17/2010 at 2:35:13 PM

Lunenburg Veterinary Hospital

Page 1

Re: Information      Mon Dec 14 2009 14:42:16 GMT-0500 (Eastern Standard Time)

From: pbertram@lunenburgonline.com

To: kashuba3@comcast.net

Cc: lwilliams@lunenburgonline.com

Hello Heidi,

Laura Williams in the Selectmen's office has spoken with Kathy Comeau regarding this issue. Kathy has spoken with your neighbor, Ms. Truax, and informed her that the dogs must be properly restrained. Kathy is following up with a written restraining letter to both the property owner and the owner of the dogs, Charles Truax. Please do not hesitate to be in touch with any additional concerns.

Paula Bertram

Quoting kashuba3@comcast.net:

>  
>  
> Paula,  
>  
>  
>  
> Well, I would say yes we contacted her...through the emails below  
> but we stopped at the down hall yesterday and found out that the  
> email listed on the Lunenburg online website does not go to her.  
> That she actually does not have email. When you pull up the town  
> contacts and click on animal control it shows her email but the  
> email goes no where.  
>  
>  
>  
> We did not contact her by phone for these latest issues as we  
> wanted to have an email trail. We have talked to her on the phone in  
> the past both my husband and I on separate occasions and we get the  
> same thing, she takes the information and then we don't hear back  
> with the exception of the time she told them we complained and there  
> were heated words with the family.  
>  
>  
>  
> I called her once anonymously to ask about leash law and other  
> general questions and she said there isn't one and there was nothing  
> she can do.  
>  
>  
>  
> We called her over the spring/summer time frame with questions about  
> a coyote we saw in our back yard and she said if its a problem just  
> shoot it.  
>  
>

>  
> Like I said below we've lived here over 9 years and have had the  
> same issues with Kathy and these dogs from the beginning. The home  
> owner is a very nice Japanese woman and we don't want to cause  
> problems with her. One dog is owned by a daughter who we recently  
> had a conversation with who said her mother & brother never told her  
> there we problems and she will not have her dog back to her  
> mother's house. She said she would talk to her brother who owns the  
> other dog but the dog is still loose and coming in our yard when  
> they don't watch it.  
>  
>  
>  
> Like I said in the email below, there is more than one issue and we  
> would could probably have a petition signed by everyone on the  
> street to have the dog removed since it wanders elsewhere and chased  
> the cars.  
>  
>  
>  
> Any assistance you can give us would be greatly appreciated.  
>  
>  
>  
> Heidi Kashuba  
>  
>  
> ----- Original Message -----  
> From: pbertram@lunenburgonline.com  
> To: kashuba3@comcast.net  
> Sent: Thursday, December 10, 2009 11:20:40 AM GMT -05:00 US/Canada Eastern  
> Subject: Re: Fwd: Information  
>  
> Hello Heidi,  
>  
> I am very sorry to hear of the trouble you have been having. Kathy  
> Comeau is the first person to contact; have you spoken with her  
> directly regarding this situation, and if so what was the result?  
> Any individual has the right to request a hearing on a dog complaint;  
> however I am unsure of the exact process. I will investigate today  
> and either myself or the Town Manager, Kerry Speidel, will get back to  
> you.  
>  
> Regards,  
>  
> Paula Bertram  
>  
> Quoting kashuba3@comcast.net:  
>  
>>  
>>  
>> Mrs. Bertram,  
>>  
>>  
>>  
>> I am forwarding the below emails to you as I have not received yet  
>> again any response from Kathy Comeau in animal control. The  
>> information I found on the internet stated to contact a town  
>> selectman and your name was on top. I'm hoping you can help direct

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>> me in the right direction. I would like to know what my rights are  
>> and what I can and can not do when these dogs are on my property  
>> defecating or attacking my dogs. We have had repeated issues for  
>> years and had several discussions with the other dog owner's family  
>> members as well as animal control and nothing is ever done.

>>

>>

>>

>> I appreciate your time on this matter and hope that you can direct me.

>>

>>

>>

>> Regards,

>>

>>

>>

>> Heidi Kashuba

>>

>> 978-582-1180

>>

>>

>> ----- Forwarded Message -----

>> From: kashuba3@comcast.net

>> To: kcomeau@lunenburgonline.com

>> Sent: Monday, November 16, 2009 4:58:40 PM GMT -05:00 US/Canada Eastern

>> Subject: Fwd: Information

>>

>>

>>

>>

>> My dog was attacked yet again today in my own yard with my husband  
>> outside. II sent the email below a week ago and have not received a  
>> response, are you the right person? If not can you tell me who I  
>> should be talking to?

>>

>>

>>

>> Heidi Kashuba

>>

>>

>>

>> ----- Forwarded Message -----

>> From: kashuba3@comcast.net

>> To: kcomeau@lunenburgonline.com

>> Sent: Saturday, November 7, 2009 5:36:10 PM GMT -05:00 US/Canada Eastern

>> Subject: Information

>>

>>

>>

>>

>>

>>

>>

>>

>>

>> I have lived here in Lunenburg, Ma for the past 9 years. During this  
>> time we have had issues and concerns regarding a neighbor's dogs  
>> that come into our yard and literally attack our animals. We have  
>> reported these issues in the past and other neighbors have stated  
>> they have reported same issues. One time when we reported, our name  
>> was actually given to the neighbor even though we asked it not to be

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>> and we were confronted by them. Nothing to our knowledge has ever  
>> been enough to correct or stop the issues.  
>>  
>>  
>>  
>> These same dogs run up & down the street chasing vehicles. People  
>> yell nasty things to us thinking they are our dogs because we happen  
>> to be outside alot. I have a young child that has been subjected to  
>> these problems that shouldn't have to. My animals have had to be  
>> taken to the vet for wounds on three seperate occassions over the  
>> years.  
>>  
>>  
>>  
>> I am extremely frustrated with the situation and would like to know  
>> what are our towns regulations and what if any are the state rules &  
>> regulations regarding animals coming onto our property and what can  
>> we as the property owners do if anything?  
>>  
>>  
>>  
>> I would appreciate any assistance in this matter.  
>>  
>>  
>>  
>> Regards,  
>>  
>>  
>>  
>> Heidi Kashuba  
>>  
>> 978-582-1180  
>>  
>  
>  
>  
>

# Lunenburg *Massachusetts*



05.18.10

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## ANIMAL CONTROL

COMEAU, KATHLEEN  
kcomeau@lunenburgonline.com

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